Reviewing contested statues, memorials and place names

Guidance for public bodies

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Executive Summary

This guidance will help public bodies take responsibility for their memorial landscapes in a way that is transparent, inclusive, accountable, fair and democratic. Given the diversity of public opinion, the treatment of monuments linked to historic injustices like slavery raises unique democratic challenges. Decision-makers must meet needs for belonging and inclusion from different sides of their communities, and must meet duties of justice while navigating reputational risks. A fair, transparent process for reviewing and acting in relation to contested heritage can help decision-makers achieve positive outcomes.

The following report is a practical handbook for public bodies considering or undertaking reviews of local heritage. Reviewing existing memorials can be a valuable step towards public understanding of history. Key recommendations are as follows.

Choose an appropriate model for your community
Public bodies have used different models for analysing the memorial landscape.
You should choose a tool and scope that is right for your context.

- A descriptive audit answers questions like: What memorials are present in a given community? Are any of the figures in local memorials linked to problematic histories that may be important for people to understand?
- An evaluative review goes beyond an audit, providing a values-based assessment of the findings and recommends a course of action such as adding new memorials linked to hidden histories ; taking steps to formally acknowledge problematic histories linked to a statue; developing educational or artistic programming, etc.
- An holistic approach involves nesting any work around monuments and memorials within wider strategic programming, such as projects to promote civic learning or address structural inequalities.

Examine key factors relevant to your review
The following factors are relevant when designing a review. a) Public opinion, b) A figure's life history and context of commemoration, including principal legacies, moral attitudes in society at the time, reasons for commemoration, local significance of the figure, and new information that has come to light through voices of previously unheard communities c) view over timescales, such as evolution of cultural attitudes d) immediate context prompting the review, e) mission and values of the body responsible for the object, f) duties of non-erasure, meaning taking steps to ensure that the strategy adopted does not have the effect of obscuring history, g) artistic value and art-historical context, h) ongoing relevance of the figure, i) appropriateness of location for either new or existing memorials, j) timing of the review in relation to wider current events, k) practicality and cost to tax-payer.

There are also number of legal factors to consider, including a) planning consent, b) planning policies and guidance, c) criminal offence of unauthorized removals, d) consistency with the Public Order Act, which amongst other things prohibits actions likely to stir up racial hatred, e) whether the public body clearly owns the statue or has legal authority to act, f) appropriate engagement with privately owned monuments or buildings.

The legal context around memorials has been changing, so it may be wise to get legal guidance before beginning a review. In 2021, Communities Secretary Robert Jenrick introduced new laws to 'protect England's cultural and historic heritage', which introduced the principle that historic statues should be 'retained and explained.' This legislation makes removal more difficult than it was previously, but also highlights a responsibility for public bodies to help people learn about the local and global history linked to memorials. Tools like audits and reviews of memorial landscapes can help communities to educate themselves about the past.

Commit to a principled process

Reviews should be guided by a set of underlying principles which published and clear to all.
The following principles provide a starting point :

1. Transparency and fairness
2. Participation
3. Inclusivity
4. Commitment to justice[1]
5 Evidence-based

Further guidance on underpinning principles can be found in the International Bar Association's publication 'Contested Histories in Public Spaces'.

Design and implement your review

There are four steps to designing and implementing the review :

1. Design – Deciding on the scope and methodology of the review
2. Data collection – Gathering evidence
3. Deliberation – Analysing evidence
4. Determination, communication and follow-through – acting on decisions

The design stage includes deciding on the review's geographical and topical scope. It also includes plans for accountability to representatives such as cabinet members, engagement teams, culture teams, street teams, planning and conservation officers and diversity and inclusion officers.

The data collection stage can draw on petitions, consultations, and expert testimony. Consideration should be given to the data form and technique, such as qualitative v. quantitative analysis.

The deliberation stage must provide a clear rationale leading from the data to a decision. Deliberation might be carried out by an internal panel (for instance a council audit of street names), a specialist expert panel, or a participatory method like Citizen Panels. A Citizen Panel is composed of a random but representative group of members of the public, who hear evidence and then deliberate on decisions or recommendations. A Citizen Panel reflects the diversity of social meanings across communities, and can lend legitimacy to outcomes. We map a process for using a Citizen Panel to decide on street renaming in Appendix 1. It is advisable to use well-structured ice breakers to help the panel get to know each other, such as the model dialogue in Appendix 2.

1 See Joanna Burch-Brown 2020 'Should slavery's statues be preserved? On transitional justice and contested heritage' in Journal of Applied Philosophy.

Whatever form the deliberating body takes, it should meet the MosaicLab 6 principles of deliberative engagement: 1) clear remit, 2) access to neutral, balanced information, 3) representative process of selection, 4) adequate time to deliberate, 5) high level of influence over outcome, and 6) start from a 'blank page' report, detailing their thinking and recommendations from scratch.

The final stage is to communicate decisions to the public, and follow through with action. A public report is important for transparency, and this should include information such as an overview of findings / recommendations, explanation of process and principles, legal implications and next steps.

Commit to inclusive community engagement

Methods for inclusive engagement include community groups and network mapping, focus groups and Citizen Panels. Online surveys are valuable but in order to reach key audiences it is key to avoid 'passive' distribution and instead actively use network mapping and cascade through e.g. faith groups and special interest groups. Surveys should avoid leading questions and should be written in clear and accessible language. Attention should be paid to gaps in participation, and effort made to do targeted consultation with groups that haven't yet participated. Any consultation process should have the core principle that there are no 'hard to reach groups', just groups that have not yet been reached.

Be positive and clear

The messaging around a review should be positive and conciliatory, rather than partisan and political, since one of the aims of a review is social cohesion. Be prepared for negative news reports, and protect against these by preparing simple positive messages and broadcasting these early and widely. Ensure that staff or volunteers involved in the review are well-resourced emotionally and have training or other support around any potential negative attention from the media or public. A range of further general recommendations can be found at the end of this report.

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1 / Introduction

On 7 June 2020, during a Black Lives Matter protest, a statue of Edward Colston was toppled from its plinth in central Bristol and rolled by demonstrators into the city's harbour, an act which attracted counter-protest, public debate and international media attention.

It also set in motion reviews in towns and cities across the UK focusing on local connections to slavery and colonialism and the ways these connections are memorialised in place names, statues and monuments.

This guidance learns from the effective reviews carried out to date, both in the UK and internationally. It is written by a team of professionals and academics working in the field of placemaking, engagement and inclusion. It is intended for policy professionals, review panels and commissions responsible for carrying out reviews and is available to all to inform those processes.

Although aimed primarily at public authorities, it can also guide private landowners and defined communities such as universities and schools.

The guidance considers the following questions :

- **i /** What can we learn from reviews processes that have already taken place and how can we apply these learnings for future processes?
- **ii /** How should we design the reviews process? What principles should underpin it? Who should be involved and at what stage? What elements should be subject to public scrutiny?
- **iii /** How should evidence be gathered and using what techniques? How can an inclusive and equitable process be ensured?
- **iv /** How should feedback be analysed to make a determination on what action to take? Who should make the decision? How do we assess the impact any particular action would have on the community?
- **v /** How should decisions be carried out and communicated?

The guidance recognises the challenges and sensitivities inherent in the process of leading reviews of this nature. It does not prescribe a single process but suggests instead a typology of strategies which place managers can use to develop their own processes, informed by previous reviews from the UK and internationally.

It also reflects a positive and aspirational intention – such processes are an opportunity for placemaking and community cohesion. They affirm the importance of the public realm as a shared community space and look to reassert collective values we hold about the places we live and the people and events that shape them.

2 / Definitions

a / Monument / memorial

A monument is a type of memorial which has a physical form. Local authorities and other place-focused organisations have defined the scope of reviews in various ways, with some reviews including place names and building names and others focused only on statues. In some cases organisations such as universities and museums have reviewed art collections, crests, coats of arms, mottos, and commemorative liturgy and ritual. Although these may be important subjects for scrutiny, they fall out side the scope of this guidance, which is directed at place managers and focused primarily on commemorative objects within the public realm.

Objects within the scope of this guidance include :

- Statues and monuments commemorating individuals
- Street names commemorating individuals
- Place names commemorating individuals
- Building names commemorating individuals
- Plaques commemorating individuals
- Architectural elements (such as friezes on buildings) commemorating individuals
- Murals and street art commemorating individuals
- Abstract or figurative monuments commemorating events or groups of people

The term 'commemoration' denotes objects that were originally created to honour, memorialize and express respect for a given figure. Note that there is often public disagreement about the extent to which a given commemoration continues to confer honour on the figure in question, or merely keeps them in historical memory.

b / Inclusion and participation

Inclusion and participation are two key principles which underpin public reviews of controversial memorials. There is no single accepted definition of either of these terms, in the context of democratic urban governance. Inclusion, according to Webster's Dictionary, is :

" the practice or policy of providing equal access to opportunities and resources for people who might otherwise be excluded or marginalized, such as those who have physical or mental disabilities and members of other minority groups."

Participation is conceptualised in many different ways, but can be misinterpreted where there is a failure to recognise the distinction between participation and consultation: *'Community participation indicates an active role for the community, leading to significant control over decision' while consultation is taken to mean 'sharing of information but not necessarily power.'* [2]

Both inclusion and participation are ideologically contested terms and in practice, difficult to achieve to the satisfaction of stakeholders. However, processes must be fair and be seen to be fair, with all views encouraged and taken into account. Inclusive and participatory processes are explored further in Section 8.

2 https://www.socialcapitalresearch.com/designing-social-capital-sensitive-participation-methodologies/definition-participation/

c / Contested space / Contested heritage

Contested space deals with the sometimes opposing ways people interact with objects and buildings in public places, identify with their meanings and messages, and derive a sense of belonging from them. Debates around statues and other monuments are a good example of contested heritage: in many cases the positive identity that some people derive from commemorative heritage in the public realm can conflict with negative or exclusive connotations that others draw from the same object.

d / Public body

This guidance is written for organisations that deliver public services up to, but not including the level of central Government departments. Such bodies would typically be responsible for the maintenance of the public realm, public cultural strategy or have ownership over public realm assets.

Organisations that could benefit from this guidance include :

- Parish, Town, District, County Councils
- Metropolitan Boroughs and City Councils
- City Mayors and devolved regional authorities
- Housing associations and other public landowners
- Heritage bodies such as Historic England and the National Trust

3 / Models

This section introduces three main models : a/ the descriptive audit, b/ the review, and c/ holistic programmes designed to support wider cultural goals such as social cohesion.

a/ Descriptive Audit

The simplest step towards addressing contested heritage is a descriptive audit, such as the Welsh Government's 2020 report entitled 'The Slave Trade and the British Empire: An Audit of Commemoration in Wales,[3] This report developed a comprehensive list of commemorated people who:

- Took part in the 'African slave trade'
- Owned or benefited from plantations or mines worked by the enslaved
- Opposed abolition
- Were accused of crimes against Black people in colonial Africa
- Were highlighted by campaigners as requiring examination, and
- Were significant historical figures of Black heritage linked to Wales.

The audit also included discussion of the meanings of commemorations, most commemorated persons, and the question of culpability, followed by an outline of possible next steps. The report specified that it was purely a descriptive audit, that a second report might or might not follow, recommending steps for rebalancing. The National Trust carried out a similar audit in 2020.[4]

There are significant advantages to starting with a descriptive audit :

- It focus on raising historical awareness, a widely endorsed value
- It is informative and gives the public a chance to absorb new perspectives
- It is straightforward and forthright
- It conveys commitment to transparency and openness
- It leaves options on next steps open
- It supports transitional justice rights to truth / acknowledgement

There are also some risks and common responses associated with a descriptive audit :

- Some may distrust the purely descriptive intention of the audit and may believe that an underlying purpose of the audit is to remove the commemorations listed
- It may prompt a defensive reaction by diving straight into a negative topic. (See discussion of the Six Elements of Social Justice Education, Appendix 2)
- It may be perceived as attacking or aggressive
- It may be perceived as imbalanced because it focuses solely on a community's negative history rather than situating this in a story of 'history in the round'
- It may prompt calls for removal or change which a community or public body may not be ready to handle constructively

3 https://gov.wales/slave-trade-and-british-empire-audit-commemoration-wales

4 https://www.nationaltrust.org.uk/features/addressing-the-histories-of-slavery-and-colonialism-at-the-national-trust

b/ Evaluative Review

By contrast with an audit, a review is an open and public assessment carried out with the expectation that changes may be recommended in light of findings.

Two types of evaluative review are the 'contestation' model and the 'hidden histories' model.

A 'contestation' model review focuses on one or more objects / figures linked to morally complicated history, and recommends a way of acknowledging this history (be that through educational programming, plaques, placement in a museum etc).

A 'hidden histories' model review focuses on adding new commemorations, identifying hidden stories that should be celebrated, which in many cases may include stories of women's history, stories from diverse ethnic communities, differently abled histories, LGBTQ+ histories, and working class histories.

Many reviews combine the contestation and hidden histories models, recommending strategies for addressing morally complicated memorials, and suggesting additions to the landscape and/or a process for developing such additions.

Models of this kind have many advantages :

- Values of equality, inclusion, belonging and welcome can be front and centre.
- Positivity is easy to convey
- Creativity is encouraged
- There is a less punitive tenor, because there is less focus on wrongdoing and culpability
- Conveys breadth of vision
- Has the potential for a healing focus on telling stories 'from the ground up'
- Changes by addition are likely to be better received than changes by removal (with some exceptions).

However, there are also potential problems with focusing solely on hidden histories :

- Developing new commemoriations can be at least as controversial as addressing existing ones.
- Controversies may arise around matters of artistic taste and not just politics
- Choices of which hidden histories to celebrate will themselves often highlight one community but not others, and may be perceived as ideological
- New commemorations may become sites of controversy or 'counter-monumentality'
- There may be moral responsibilities to formally acknowledge and address complicated histories linked to existing memorials, as part of healing and repair
- Process may be more in-depth (though not necessarily)
- May require more expertise
- Achieving landscape-level changes may be resource-intensive and time-consuming

c/ Holistic approaches

A final family of approaches are those that strategically situate any audits or reviews within a wider programme of work. The We Are Bristol History Commission is adopting a holistic approach. The Commission was formed after Colston's statue was toppled, and was tasked, according to its Terms of Reference, with "helping the city to understand our history, and how this led us to becoming who we are, so we are better equipped to decide who we want to become".

The Commission has been given a participatory educational remit, alongside its role in advising the council and Mayor on matters of contested heritage. For instance, alongside curation of the Colston statue in a temporary exhibit, the Bridging Histories project (www.bridginghistories.com) is an early output of the Commission. It is an online resource to help communities collectively explore their history and heritage through six activities. The topic of monuments is nested within wider activties that celebrate positive distinct identities and encourage each person to create positive change in themsleves and the community.

The holistic, 'civic learning' approach has potential advantages.

- Values of equality, inclusion, belonging and welcome are front and centre
- Potential to help citizens develop empathy, complex thinking, sense of cooperating on shared task
- Encourages moving beyond simplistic narratives
- Difficult histories and contentious issues are addressed, but only once people are emotionally well-resourced and have affirmed each other's positive distinct identities
- Potentially generates an open, curious, enquiring attitude

It also has disadvantages:

- Risks seeming indirect and evasive
- May be difficult to communicate the idea and method to wider public
- Long planning stage may build distrust and speculation
- Depends on buy-in from wider public

As a closing comment relevant to all of these approaches, it is often observed that contestations emerge as a result of structural injustices and these do not go away when statues fall or are recontextualized.[5] There may be reason to situate any reviews strategically within wider attempts to address these underlying conditions. It can be worth asking how to approach a review so as to most effectively support progress on wider efforts towards social inclusion, cohesion, equality and fairness.

5 See 'Conclusion' of *Contested Histories in Public Spaces : Principles, processes, best practices*, an International Bar Association Task Force Report, 2021.

CASE STUDY | MAYORAL ADVISORY COMMISSION ON CITY ART, MONUMENTS, AND MARKERS, CITY OF NEW YORK

The City of New York appointed the Mayoral Advisory Commission on City Art, Monuments and Markers in September 2017. At this time, reviews had recently taken place in other municipalities, including those that considered contested confederate statues. One monument in particular provided a local impetus to the formation of the New York Commission. Located in Central Park, close to the predominantly black and Latinx communities of East Harlem and El Barrio – a monument to Dr. J. Marion Sims was the subject of a campaign calling for its removal stretching across many decades. The commission considered four monuments in total, however.

Process and outcome
Mayor de Blasio appointed 18 members to the commission, drawn from a diverse range of the city's academic, artistic, political, community and professional sectors. The Commission was given the role of making non-binding recommendations to the Mayor. The review process lasted a prescribed 90 days.

An audit provided the scope and context of objects to be included in the Commission's review, and only those monuments and markers that met one or more of the following criteria were included:

1. Sustained adverse public reaction (two years or more)
2. Large-scale community opposition (as part of larger cultural/political concerns)
3. Recommendation from the local community board (considerations within the community board's jurisdiction only)
4. Egregious historical oversight, and/or revelation of new, significant information about the monument and what or whom it represents.

In developing the review's principles, the commission recognised a number of important issues.

Firstly, that the need for dialogue on the legacy of the past and its effect on the future of the city was pressing and timely, in the context of the events of Charlottesville. Secondly, in contending with this legacy, the commission would consider the missing elements of the city's narrative and take steps to redress the imbalance in the name of 'truth telling towards the eventual goal of reconciliation' (p.9). The objective of the approach would be to develop a more complete reflection of the history of the city, a collective narrative, through a process of dialogue.

Thirdly, the commission accepted the value of knowledge in developing the fullest understanding of the histories that surrounded the memorialisation of particular figures and events, with the recognition that history is reinterpreted in the light of new testimony, particularly from previously disenfranchised communities. Finally, the commission determined that the principle of transparency would provide legitimacy to their recommendations and citizen testimony would be placed in the public domain so the people could understand how the commission used it to form its conclusions.

In addition to the above contexts, the review was guided by five key principles:

- **Reckoning with power to represent history in public**
  Recognising that the ability to represent histories in public is powerful; reckoning with inequity and injustice while looking to a just future.
- **Historical understanding**
  Respect for and commitment to in-depth and nuanced histories, acknowledging multiple perspectives, including histories that previously have not been privileged.
- **Inclusion**
  Creating conditions for all New Yorkers to feel welcome in New York City's public spaces and to have a voice in the public processes by which monuments and markers are included in such spaces.
- **Complexity**
  Acknowledging layered and evolving narratives represented in New York City's public spaces, with preference for additive, relational, and intersectional approaches over subtractive ones. Monuments and markers have multiple meanings that are difficult to unravel, and it is often impossible to agree on a single meaning.
- **Justice**
  Recognizing the erasure embedded in the City's collection of monuments and markers; addressing histories of dispossession, enslavement, and discrimination not adequately represented in the current public landscape; and actualizing equity.

The Commission concluded that a case-by-case analysis of objects was an important principle, with the recognition that a determination was unlikely to be made by unanimous agreement. It also recognised that the principles set out above are prioritised in different contexts by different members of the commission - where some members of the Commission believed that removal of contested objects was often supportable, others asserted that their retention provided an important focus for discussion, and these positions were subject to change according to the object under discussion.

The commission held five public hearings, one in each of New York's boroughs, which invited testimony from members of the public. Speakers were allotted a three-minute slot and every member of the public that applied to do so was allowed to speak. 200 gave evidence, with a further 300 attending the hearings. A well-publicised public survey elicited 3000 responses. The scope of both the hearings and the surveys allowed respondents to propose subjects for new artworks as well as comment on existing. The commission ultimately made recommendations on four contested objects, with further recommendations for the ongoing consideration of the public estate and the memorials within it. Discussion was informed by a range of contexts, from legal and other practical issues to art-historical and societal matters.

4 / Factors relevant to a review

This section outlines key factors that may be relevant in designing an audit or review.

a/ Public Opinion

Local authorities are compelled to consult local communities, taking steps to encourage participation from as many voices as possible. Place-based organisiations usually have a consultative body – membership, constituency or community – that they are constitutionally bound to engage with in such situations.

It may also be appropriate to take into account the debate across a wider geography if the issues under review are of national significance. It is not likely that public opinion alone will provide a clear outcome in a review unless there is overwhelming support in favour of a particular course of action.

b/ A figure's life history and historical context of commemoration

Reviews should include the facts of the contested individual's personal life history, the historical and political context that surrounded them, their culpability, and the moral attitudes present in the societies and global communities at the time. The emergence of new information and the testimonies of communities that had previously gone unheard are important when considering whether the context of the commemoration has changed.

Many past reviews have taken into account the original reasons for the commemoration of a particular figure in determining a future course of action. The Yale Principles make the 'principal legacy' of the commemorated figure a central part of deliberations.

Figures may have a particular local connection or may be central to the identity of a particular local community which affects how their legacy is viewed locally and potentially in contrast to wider society. The initial reason for the commemoration may be based on a legacy that has subsequently been discredited, devalued or contested.

Equally, it may be that the reasons for the celebration of a particular figure are no longer widely supported. Statues can be installed to rehabilitate a reputation, in an act of self-aggrandisement, or to send signals of power that may mean little in a contemporary context. The Welsh Government's audit of statues and monuments connected with slavery included an assessment of the reasons for the original commemoration, categorised as follows:

- Communal pride in the achievements of local individuals
- Gifts of land or money
- Ownership or development of land
- Political assertion of power, solidarity or approval
- Public response to untimely deaths, particularly in times of war
- The desire to find subjects for new public art works or new street names

c/ View over different timescales

A New York review in 2017 considered statues and markers in the context of four time periods:

- The lifetime of the person being memorialised
- Public perception of the person at the time they were memorialised – which in some cases could be decades or even hundreds of years later

- The perception of the public at the time of the review, and
- The future legacy of the memorial

This approach provided a broader temporal context by which to consider the person and commemoration. Reviews should consider the relationships between these periods, particularly in the context of changing moral values, and there is ongoing debate over whether commemoration should continue based on the adherence of the figure in their historical period to contemporary moral values.

d/ The immediate context prompting the review

A key contextual marker for a review is why it is taking place. In some cases, reviews are sparked by a protest event, which may have taken place elsewhere, but which reignites historical debates, debates with particular local meaning, or debates around a locally commemorated figure with a connection to the original protest.

For instance, the Black Lives Matter protests across the US in the early summer of 2020 provided the context for a demonstration which took place in Bristol on 7 June of that year. This event, among other factors, led to the toppling of the statue of Colston and the reviews into monuments elsewhere in the UK that followed. Reviews in the UK were articularly focused on the legacy of colonialism, the British involvement with the slave trade, and racial inequality. Thus, the original event can have been said to shape the scope of reviews that followed. Other events may provide a different context around which reviews will take place, and it is therefore important to note this context and take it into account when delivering the review.

e/ The contemporary mission and values of the body responsible for the object

Some reviews, notably Rhodes University in South Africa, focus on how to achieve consistency with institutional values on inclusion and diversity. The Rhodes University review was necessarily wide in scope, covering building names and memorials to scholarships and mottos. As described in Section 3, the 'landscape' approach begins with modern day values rather than the legacy or lifetime of any particular commemorated individual.

It might be recognised that the mission and values of the public body responsible for the memorialisation can change over time, in accordance with the general moral landscape. In many cases these values are reflected in how that body commissions new works.

An institution may also look at what responsibilities it has in light of its own historic role in problematic social practices. For instance, an institution that played a significant role in promoting, justifying and benefiting from slavery, may now judge that its historic role gives it contemporary duties of acknowledgement and redress.

f/ Duties of non-erasure

Many people believe that contested statues should provide an opportunity to learn history 'in the round' and that removing such opportunities may be morally problematic. This is termed the duty of non-erasure. Naming principles adopted by Yale University speak of a duty to ensure that the opportunity for learning through and about heritage is respected:

"Decisions to retain a name or to rename come with obligations of non-erasure, contextualization, and process:

i / When a name is altered, there are obligations on the University to ensure that the removal does not have the effect of erasing history.

ii / When a name is retained, there may be obligations on the University to ensure that preservation does not have the effect of distorting history.

iii / The University ought to adopt a formal process for considering whether to alter a building name on account of the values associated with its namesake; such a process should incorporate community input and scholarly expertise."

With statues as with building names, debate continues around the definition of erasure. For some, relocating a contested statue into a museum provides a more conducive context for learning. For others, the removal of the object from the public realm constitutes an act of erasure, and reduces the number of people that will come into contact with the object.

g/ Artistic value

The Victorians frequently commissioned figurative memorials celebrating people that reflected the values of the day. Today, many are considered to be of high artistic value, and others less so. Public monuments were often commissioned featuring allegorical elements referring to colonial achievements, successes in battle or classical mythology.

The 20th Century saw new approaches to the commissioning of public art, often favouring abstract works representing ideas rather than individuals. Today we adopt a more mixed approach to public commemoration, which is shaped by the commissioning body, the artist, the location and the brief.

An understanding of art-historical value is a relevant factor and experts in this field may be consulted to provide understanding of the subject, messaging, artistic intent and relevance of the siting. These issues were central to the consideration of an equestrian statue of Theodore Roosevelt at the American Museum of Natural History in New York in 2017.[6]

h/ Relevance

Sometimes the legacy of a person who was commemorated, or indeed the identity of the individual, has been permanently lost to public record. In such cases, public bodies might decide to recommend the removal of the memorial or street name and use the opportunity to celebrate an individual of particular importance to the locality or community.

i/ Appropriateness of location

There may be specific concerns about a monument or street name that would otherwise be less significant were the monument or name located elsewhere. It is often the case that memorials are placed so as to reference a local connection, but the broader implications are either not always appreciated at the time, or the place context can change.

An example of this is the Dr J. Marion Sims monument in New York's Central Park, until recently sited next to the New York Academy of Medicine, in honour of Sims' work in gynaecology. Sims' medical advances were achieved through experiments on black women without consent or anaesthetic and as these historical facts became more widely understood, the monument became a source of negative sentiment for the Academy, and caused increasing offence within the surrounding, predominantly Black and Latin, community, prompting a relocation of the monument to the grave of Sims and a programme of commissioned public art, learning and dialogue.[7]

6 https://www1.nyc.gov/assets/monuments/downloads/pdf/mac-monuments-report.pdf

7 https://time.com/5243443/nyc-statue-marion-sims/

Other issues might include a monument's perceived prominence, perhaps in relation to other artworks, or a 'pride of place' location in a central or ceremonial square, which may denote a significance to the figure that is no longer deemed necessary or appropriate.

j/ Timing of the review in relation to wider current events

The timing of the review is important but may not be dictated by the public body undertaking the review. Many of those undertaking reviews in the Summer of 2020 found responses to community consultation were low due to Covid-19 lockdown. Other factors may also affect response rates, including whether other reviews are being undertaken elsewhere, affecting the national appetite for debate on the subject, the perceived politicisation of the review, e.g. if reviews are being promoted by one political party during an election period, or if reviews are unduly delayed.

k/ Practicality / cost to the taxpayer

Statues and monuments are oftened maintained (or removed) at the expense of the taxpayer and in this respect, the local authority should ensure that funds are spent according to the interests of the community through inclusive local engagement. Reviews of heritage objects, whatever the motivation, may also be included in political manifestos to provide a confirmation of local support.

The cost to the taxpayer (if applicable) of the different stages of the review and any actions that lead from it should be factored into process design. For instance, it may not be affordable to relocate existing monuments and recommission new works within a given time period, although the political imperative or local views may demand this. Public expectation should be managed in this respect. Developer contributions have been used to carry out recommendations at no cost to the taxpayer, but decisions should be financially justifiable.

Equally, public responses to reviews have regularly questioned the cost/benefit ratio of reviews, with some responses suggesting the public body fund programmes which address ongoing inequality as opposed to those that focus on contested heritage.

There may be additional costs falling to households or businesses as a result of a street or building name change with implications for land registry, stationery costs, branding and legal documents. In these cases, extensive consultation with the affected parties would be necessary.

It may be possible to find creative solutions to the problem of cost to residents, for instance by crowd-funding or by putting out a call for solicitors willing to offer services pro bono. If the Council absorbs the cost of solicitors fees and land registry fees for changing a street name, these costs would be funded by taxpayers, including those who are unhappy with the change. Therefore, it will be imperative that the process followed have a high level of perceived democratic legitimacy. The use of citizens panels and street-level voting outlined in Appendix 1 might be one way to achieve this legitimacy.

l/ Legal issues, including : [8]

a. Planning consent requirements

There are a number of ways in which the removal or recontextualising of an outdoor statue, memorial or monument ('monument') might be restricted by English planning law and require an application for express consent to be made to the local planning authority.

8 This section summarises the legal position in England only. It is intended as informal guidance only and is not for formal reliance by any person.

Many monuments are designated as listed buildings or scheduled ancient monuments. The removal of such a monument will require listed building consent or scheduled monument consent.

There may also be a requirement for planning permission for other monuments (that are not listed buildings or scheduled ancient monuments). This requirement was notably broadened by the government in April 2021 to include a number of monuments that could have previously been removed without planning permission.[9]

The general requirement now is that planning permission is required for the removal of a monument that has been in place for at least 10 years on the proposed date of demolition.

There are various exclusions from this requirement including if the monument is within a cemetery, consecrated land, the curtilage of a public place of worship, the grounds of a museum or art gallery or the curtilage of a dwelling house.

Additional requirements for planning permission may apply if the monument is located within a conservation area.

For further guidance on whether planning permission is required for removing a monument, please refer to the 'When is permission required?' section of the government's Planning Practice Guidance.[10]

Furthermore, the Secretary of State for Communities may exercise 'call-in' powers and overturn a local decision to remove a heritage object or momument.

b. Planning policies and guidance

The government may make planning policies governing the treatment of monuments. These would be set out in the National Planning Policy Framework, supported by guidance in the Planning Practice Guidance, and should be followed in planning decisions.

Relevant planning policies may also be contained within a local planning authority's local plan, in relation to monuments within its administrative area.

In addition, guidance from various statutory and non-statutory bodies may assist with planning decisions regarding monuments. Some of these are listed below, in a generally descending order of the likely weight that will be given to them by the decision maker.

- Any supplementary planning guidance prepared by the local planning authority.
- Historic England – for example its checklist on "Contested Heritage Listed Building Decisions" (December 2020).
- Other heritage groups including the national amenity societies: The Ancient Monuments Society, The Council for British Archaeology, The Society for the Protection of Ancient Buildings, The Georgian Group, The Victorian Society, The Twentieth Century Society, and The Gardens Trust.
- International bodies such as ICOMOS, which offers advice to UNESCO on monuments within World Heritage Sites.

9 The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021

10 https://www.gov.uk/guidance/when-is-permission-required

Historic England's useful checklist for Local Authorities addressing locally contested heritage sites promotes the 'retain and explain' approach to statues and monuments :

"Our stance on historic statues and sites which have become contested is to retain and explain them; to provide thoughtful, long lasting and powerful reinterpretation that responds to their contested history and tells the full story." [11]

Local authorities should ensure an internal working group is established early in the process which involves all departments with an interest. Planning and conservation teams can be overlooked in the process, but the formal procedures they oversee are of critical importance to achieving the promised outcome. The planning process includes additional duties to consult and determine, and the outcome of the planning consultation may conflict with the review, so it is imperative that any review is aligned with these.

c. Criminal offences

Where a monument is a listed building, scheduled ancient monument, or within a conservation area, public bodies should be mindful of the potential for removal of or (unauthorised or authorised) damage to that monument to constitute a criminal offence. This depends on the designation but, for example, removal of a listed building or scheduled ancient monument without consent will always be a criminal offence.

Additionally, unauthorised damage to any monument would be criminal damage. Past cases in which public bodies have received credible evidence that statues could be at risk of vandalism have led to immediate removal or protection and these actions are often publicly controversial.

d. Legality of retaining the commemoration: The Public Order Act

The Public Order Act [12] 1986 (c. 64) states:

A person who uses threatening, abusive or insulting words or behaviour, or displays any written material which is threatening, abusive or insulting, is guilty of an offence if -

a / He intends thereby to stir up racial hatred, or

b / having regard to all the circumstances racial hatred is likely to be stirred up thereby.

It has been argued that in Bristol, the city's choice to keep the statue on public display despite decades of protest was itself illegal, because it constituted 'insulting behaviour' likely to 'stir up racial hatred'. At time of publication this argument has not yet been tested in court. However, it does suggest that councils may have reason to consider whether any of their statues or commemorations are likely to stir up racial hatred, and thus whether they may be in violation of the Public Order Act.

A key objective for the public body, not least to ensure community safety, is to reduce the likelihood of public disorder or criminal damage. This underpins the imperative to launch consultations where tension is building over a contested heritage object or objects.
The Public Order Act is applied in the regulation of public protest and may be of future

11 https://historicengland.org.uk/advice/planning/planning-system/contested-heritage-listed-building-decisions/

12 https://www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/

relevance in understanding appropriate policing of demonstrations around monuments. In the Colston case, the duty under the Act to provide a proportionate response reportedly formed one of the bases for the policing decision not to intervene in the toppling of the statue, with Commanding Officer Supt Andy Bennett stating: *"We made a very tactical decision that to stop people from doing that act may have caused further disorder and we decided the safest thing to do in terms of our policing tactics was to allow it to take place.*[13]

e. Legal authority to act

The ownership of statues and monuments in the public realm is not always clear, and ownership is defined in law in different ways. In such cases, gaining legal advice is necessary. Some guidance from Historic England on the acquisition of scheduled monuments and heritage assets can be found on the Historic England website. [14]

Contracts, covenants and naming agreements may restrict the legal authority to act, even where landownership is established. Previous examples, particularly in connection with building names, show that institutions have been open to legal challenges from the estates of benefactors where proposals have been made to change the name. Extensive research of records and early consultation with the relevant estate (which should be undertaken in any case) should determine whether such agreements exist.

f. Landownership constraint

Where a memorial is not on public land, the local authority or relevant public body has limited recourse to make alterations. This can cause confusion with the public if not made clear at the outset, particularly in cases where contested heritage is visible from the public realm, such as friezes or plaques on privately owned buildings. Local Authorities should involve the owner of the building in dialogue in such cases.

In relation to privately-owned buildings, English Heritage is committing to greater diversity in its blue plaque scheme [15] and can receive nominations from public bodies regarding private addresses with connections to renowned individuals with diverse backgrounds.

13 https://www.bristolpost.co.uk/news/bristol-news/police-explain-didnt-stop-protesters-4203130

14 https://historicengland.org.uk/advice/hpg/har/ownership-guardianship/

15 https://www.english-heritage.org.uk/about-us/search-news/blue-plaque-laurie-cunningham-diversity/

5 / Principles to underpin reviews

All reviews should be guided by a set of underlying principles which are published and clear to all. Reviews in the past have been supported by various principles and these in many cases reflect the institutional principles of the body undertaking the review. However, where no such principles exist, or where they are not appropriately applied to the review of contested heritage, we can draw on past reviews to suggest the following principles as a starting point:

a/ Transparency and fairness

Processes should be understood equally by all, from those running them to those participating in them. The reviews process should be published and invite public scrutiny to ensure any inbuilt bias or discrimination, whether intentional or inadvertent, is identifiable and can be rectified. Processes must be fair and be seen to be fair.

b/ Participation

Processes must invite participation at all stages, from the design of the review to the collection and analysis of data, to deliberation and decision making. The design of a participatory methodology must take into account the need to ensure the protection of individuals that participate from hate speech or personal censure.

c/ Inclusivity

The design of reviews processes should control for any disparities that may reduce the likelihood of participation among particular groups. Disparities may include time availability, language or communication barriers, confidence, poverty, infirmity, ethnicity or faith. Processes should build in a range of ways to participate.

Local and regional authority reviews in 2020's Britain regularly incorporated the principle of inclusion into the terms of reference for their reviews. For instance, the Greater London Authority's Commission for Diversity in the Public Realm states that inclusion is a guiding principle in reviews of existing statuary and the commitment for diverse new representation in civic spaces.

d/ Commitment to justice

Strategies for handling contested monuments should meet the international responsibility of all countries with a history of large-scale abuses to engage in processes which work towards ensuring accountability, serving justice and achieving reconciliation. For discussion of how statues can be handled in keeping with UN Guidelines on Transitional Justice, see Burch-Brown 2020.[16]

e/ Evidence-based

Deliberations and decision-making should be informed as much as is possible by fact and data, with outcomes focused on remembering historical facts as opportunities for learning as opposed to forgetting or obscuring past abuses.

In the absence of an objective measure of 'success' for reviews of contested heritage, these principles, supported by rigorous research and best practice, provide a normative framework against which public bodies can assess their reviews. Further discussion on underpinning principles is contained in the International Bar Association's publication 'Contested Histories in Public Spaces'[17] which studied ten cases of contested heritage in the urban landscape.

16 Joanna Burch-Brown, 2020, 'Should slavery's statues be preserved? On contested heritage and transitional justice' in Journal of Applied Philosophy. https://onlinelibrary.wiley.com/doi/full/10.1111/japp.12485

17 https://www.ibanet.org/Contested-histories.aspx

6 / Process design and implementation

Local authorities, museums and public bodies have approached reviews of monuments, memorials and place names in a variety of ways. This section takes examples of these different approaches from past processes and describes them to enable place managers to consider some of the available options for process design. This is separated into subsections:

- Design – Deciding on the scope of the review
- Data collection – Gathering evidence
- Deliberation – Analysing evidence
- Determination, communication and follow-through – acting on decisions

Design

A review scope should set out the objectives of the review and the processes that underpin it. This should be complete before the review is implemented. Although this appears to be an obvious point, it is common for decisions to be made at a political level and even publicly announced before officers have considered the implications or logistics.

In developing the design, there are important initial decisions to make:

1. *Specific versus generalised approaches*

   An important distinction is made between specific and generalised approaches to reviewing memorials and place names. For instance, some reviews such as the City of New Orleans review [18] of four Confederate statues in 2015 were focused on pre-identified public monuments around which specific debate takes place.

   Others approach the issue with a broader agenda. The Bristol History Commission is taking the removal of the Colston Statue as a starting point for wider debate about the city's history and the impact of it on the citizens of today, the nature of commemoration and how we shape our collective legacy, as well as advising the city council on specific matters as they arise, such as curatorial questions about how to display the Colston statue.

2. *Determining the review's scope*

   Care must be taken in identifying the objects for review in relation to the contestation or controversy that surrounds them. Where the decision has been made to hold a review, as much as possible a proportional and considered approach is desirable to reduce the likelihood of community tension. Reviews have adopted various strategies for determining what should be considered. New York's Mayoral Advisory Commission on City Art, Monuments and Markers set preconditions on what objects could be included in the review, based on four trigger points:

   1. Sustained adverse public reaction (two years or more);
   2. Instantaneous large-scale community opposition;
   3. Egregious historical oversight;
   4. Revelation of new, significant information about memorialized figures.

   The benefit of this approach is that it sets clear, rolling parameters - a review can be triggered every time one of the conditions is met.

18 https://nola.gov/mayor/news/archive/2017/042417-pr-city-of-new-orleans-begins-removal-of-di/

Where reviews seek 'nominations' from the public of monuments for consideration, these can be included in the review, but if no pre-existing opposition to the monument had been noted, this might be taken into account in decision making.

Reviewing bodies may also wish to define additional parameters to make clear the scope. This might include a definition of:

a. Typology of public assets under review – e.g. street names, memorials, murals, plaques, statues etc.
b. Practical criteria – e.g. 'objects under public ownership only'
c. Focal criteria – e.g. 'representation of women' or 'public assets memorialising figures with a connection to slavery'.
d. Categorising memorialised 'persons of interest'
e. Response criteria – e.g. 'your response should focus on the impact any object or action to remove has on you personally.'

Other reviews have adopted open approaches to consultation, inviting comments on objects in the public realm without predetermination. Case studies have suggested that this method invites a much wider range or responses on a variety of objects and issues than one which offers guidance on what the review will consider. This can lead to a widening of the expected scope and required resource.

Many reviews have also asked respondents to 'nominate' figures that are not currently commemorated but could be in the future. This approach serves to generate positive conversations that reinforce notions of local identity in a modern context. The GLA's Commission for Diversity in the Public Realm is one example of this approach, with a stated aim of 'improving representation'.

It is important however to manage expectations on the ability to commission and maintain new memorials. Although cost is not the only consideration, developer contributions may provide a route to new public artworks, and murals may be a less costly option.

3. *Geographical scope*

Many reviews in the recent past have been carried out by public bodies with pre-defined geographical boundaries, and these boundaries have determined the physical scope of both the review area and the consultees. However, there is no automatic requirement to take this approach and it has been argued that significant decisions on who should be commemorated or otherwise in the public realm is a matter for national rather than local debate.

In any case, public bodies should be prepared to receive responses from outside their boundaries and consider how to weigh them in the analysis. A number of national and international campaigning groups with a range of strongly held positions monitor the press for announcements of reviews and make representations to them as a matter of course. Thought must be given to how such representations will be considered.

Within the boundaries, some consideration should be given to who the stakeholders are and why. Some reviews carried out by local authorities consulted only residents for instance, whereas others consulted businesses and other stakeholders. However, if businesspeople living outside the city are invited to comment as stakeholders, a case might be made for inviting visitors to comment, and therefore opening the consultation to all. Equally, where contested heritage objects are perceived to be of national importance, it may be appropriate to open the debate to a national audience.

4. *Audit*

   Some public bodies have prefaced public consultations with an audit of assets under their ownership. This can provide the organisation with information on particular objects that may be useful during the consultation if, for instance, incorrect or misleading information about a commemorated figure can be corrected before it pulls focus from other objects.

   For instance, the Leeds audit was undertaken by a specialist team of academics and historians that identified memorials that they considered were likely to be raised in the public debate and provided historical summaries of their achievements and controversies. This approach lengthens and adds to the cost of the process.

5. *Oversight*

   Many bodies undertaking reviews established an internal working group to oversee logistics and communications for the review. Local Authority groups typically include:

   - Relevant cabinet members (e.g. public realm / culture / communities)
   - Representative from democracy and engagement team (to run consultation)
   - Representative from culture and community teams
   - Representative from streets / public realm team
   - Planning and conservation officers
   - Diversity and inclusion officer

   The group meets and minutes are provided to develop and agree the decision, design the review and write communications plan. Any minutes are subject to Freedom of Information requests. This group should have a clear purpose, set out in a Terms of Reference.

Data Collection

Local authorities and other public bodies often have a team of professionals dedicated to running public engagement exercises, and they should be involved in designing the process from the outset. The approach to engagement and data collection should be inclusive, transparent and equitable. Section 6 covers community engagement techniques in detail. Data is collected in a range of ways, with the reviewing body taking both active and passive roles in the process.

1. *Petition*

   Many reviews have been launched following the submission of a petition focusing on a specific object. Other reviews have attracted petitions during the process. In Bristol, two petitions were circulated in opposition of the proposal to change the name of Colston Hall, one attracting 7,000 signatures, and the other 5,000, both with a prefaced statement with a slightly different justification for the demand to retain the name.

   Petitions provide an indication of strength of feeling among sections of the community opposing or supporting a particular action. For many bodies, reviews are not focused simply on the weight of numbers and petitions fail to provide rich data that aids an understanding of the arguments. Deliberations should nevertheless acknowledge petitions as important evidence and where possible, signatories may be encouraged to provide additional personal comments where these are being collected (e.g. to an online consultation process).

2. *Consultation*

   There are many consultation techniques and the objectives of the review will help determine the most favourable approach to ensuring all that wish to comment are able to do so. The New York consultation exercise involved a public meeting in each of the five boroughs, during which anyone who wished to speak was given three minutes to do so, and anyone that did not wish to give a verbal statement could submit written evidence. This elicited over 3,000 written and 200 verbal testimonies. Section 6 includes further advice on inclusive engagement.

3. *Expert testimony*

   Reviews have included efforts to gather evidence from specific sources, either at initial audit stage or later, in public consultation. Academics, historians and art-historians, civic groups and faith groups can be important sources of information in understanding the fullest possible context surrounding an object and its impact. The GLAs Commission for Diversity in the Public Realm is supported and guided by a partners board which acts as a reference group of experts, representatives and statutory bodies. Other reviews embed these functions into the main reviewing panel or commission.

4. *Data form and technique*

   Consideration must be given to the form in which data are collected, to ensure that responses can be analysed according to the project design. However, each technique has advantages and disadvantages - emailed questionnaires containing multiple choice questions can be easily uploaded and analysed, but do not provide the respondent with an opportunity to give long form answers. A simple questionnaire may provide insufficiently detailed data however. Conversely, open events can be recorded if permission is given from attendees, but content must be transcribed and thought given to how responses are analysed.

   This element of process design is complex and should be carefully planned with the engagement team if there is one to ensure the objectives of the review are met and the process is seen to be inclusive, transparent and fair.

5. *Data Analysis*

   Reviews in which the views of the public were sought in a structured consultation process interrogate data in different ways. One methodology employed by the Leeds Review categorised responses to provide empirical data that indicated the proportion of responses sent in favour of a particular action, and further split the data into sub themes representing the reason for their view: Many reviews adopt a version of this approach but include additional interpretive methods to consider the issue in more detail.

Overarching Theme	Count	as %	Sub Theme	Sub Theme as %	Count	% of total
Against removal or review	692	55%	It is part of our history	52%	362	29%
			Pandering to BLM/Protesters	29%	199	16%
			Leave them alone (not specific)	10%	66	5%
			Waste of LCC money	7%	49	4%
			Retain a specific statue	2%	16	1%
Suggestions for future statues/installations/ art	425	34%	More diverse statues required	33%	139	11%
			Specific person mentioned	24%	102	8%
			General feedback	22%	95	8%
			Need plaques/explain the history	21%	89	7%
Support removal or review as a whole	123	10%	Generally support the review	65%	80	6%
			Remove specific statue	35%	43	3%
Contains abuse/hate	22	2%	Contains abuse/insults/hate	2%	22	2%
TOTALS	**1262**	**100%**			**1262**	**100%**

A review of statues in Leeds in response to Black Lives Matter (2021) [19]

Deliberation

There must be a clear connection between the data collected, how they are analysed and how this analysis leads to a decision. A participatory, transparent engagement process falls at the final hurdle if analysis occurs behind closed doors and decisions are made without any justification. Processes must be fair and seen to be fair in order for the outcome to be supportable. There are a number of ways reviews that have already taken place approach the analysis of the data. These are described below, from least to most consultative.

1. *Internal review or audit*

   A number of local authorities and other public bodies conducted reviews internally, or a combination of an initial internal audit followed by a planned second phase of public consultation and review. The National Trust [20] and the Welsh Assembly [21] are examples of this latter approach.

   Where local authorities took decisions to immediately obscure or remove memorials in the days following the events in Bristol, these decisions were often reported in local press as being for the protection of public safety. A decision to remove a statue of Lord Baden Powell from Poole Harbour after being confirmed by Dorset Police as a 'potential target' is an example of this. Although the Local Authority acted on the intelligence it had been supplied, this decision led to public protest and a petition in support of the retention of the statue received 15,000 signatures, according to a BBC report of 11 June.[22] The statue was instead temporarily boarded up to prevent damage and is now back on display.

   Since public bodies are subject to Freedom of Information requests, regardless of whether audits or reviews are carried out publicly, records of all processes should be kept, since public bodies may be called upon to justify any decisions. In most cases, it is now a legal obligation to ensure that any decisions which result in changes to heritage assets or street names are subject to public consultation first.[23]

19 https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?Id=52455

20 https://www.nationaltrust.org.uk/features/addressing-the-histories-of-slavery-and-colonialism-at-the-national-trust?fbclid=IwAR1z-cN_q6QKce_k1JPSnHZEYkUuV4K3mdxOkfSwZLdEuv80FD6pI12lbIg

21 https://gov.wales/over-200-welsh-statues-streets-and-buildings-connected-slave-trade-listed-nationwide-audit

22 https://www.bbc.co.uk/news/uk-england-dorset-53004638

23 https://www.gov.uk/government/news/new-legal-protection-for-england-s-heritage

2. *Specialist panel*

Local Government Association guidance provides the following guidance:

- *Involving historians or cultural academics can assist in producing an approach that can be defended as objective. There is a wealth of expertise and experience available around relevant projects*
- *Historians may also be useful in making a distinction between history, heritage and 'the past'*
- *Academics may be able to help establish disputed facts and explore nuanced interpretations.*

The specialist panel approach is regularly used in reviews, and the demonstration of objectivity and particularly of separation from the public body is important. Careful consideration must be given to the membership of the panel, the way the panel is recruited (for instance by invitation or by application) and the terms of reference that directs their deliberation.

Working with independent academics is one approach, but local context may point to the involvement of a panel of community representatives instead. In Bristol, academics and councillors were invited individually by the Mayor and worked together to clarify terms of reference. In London, there was an open application process with an extensive document for applicants, explaining the purpose and nature of the commission.

Consideration should be given to the following questions when appointing a panel to review the evidence. There is no single approach: past reviews have adopted a range of positions in relation to these points, based on the objectives of the review and local conditions.

1. What qualifications should panel members have? What specialisms should they represent?
2. Should the panel include community representatives, politicians, randomly selected members of the public or campaigning groups?
3. Should efforts be made to ensure the views of the public are reflected in the panel?
4. How will the panel be administered and reported?
5. What training might the panel need?

Given the democratic implications of an appointed panel which reports into a local authority, panels are often given an advisory role, rather than the power to direct that certain actions are carried out. Public bodies subject to democratic processes may determine that any final decisions should be carried out by a senior elected figure, such as the Leader of the Council or relevant cabinet member.

Panel members are usually publicly identified and should be prepared through training to manage media attention, public scrutiny and the impact of potential negative public comments.

3. *Participative democratic method*

Deliberative democracy is a broad term which describes processes that put decision making in the hands of local people, rather than representative democracy, in which local people vote for representatives to make decisions on their behalf. It is an involved process that takes time and can take many forms. In the UK, places are experimenting with Citizen Juries, Citizens Panels or Citizens Assemblies[24] that involve a randomly selected cross section of the community to make decisions on a range of issues. In Appendix 1, we recommend a model for deciding on whether to change or keep a street name, which combines a Citizens Panel with street-level voting.

24 https://www.local.gov.uk/topics/devolution/engaging-citizens-devolution/approaches-civic-and-democratic-engagement/citizens

The six principles of deliberative engagement, according to specialists MosaicLab[25] are :

1. *The group responds to a **clear remit** - a plain English question that goes to the heart of the dilemma being shared.*
2. *Participants will have access to the **information** they need to have an in-depth conversation and information will be neutral, balanced and from a range of different sources.*
3. *The process is **representative**. Participants are selected randomly via a random, stratified selection process.*
4. *Participants are given the time they need to **deliberate,** which allows them to consider complex information, grapple with trade-offs and impacts and weigh up options and ideas*
5. *The deliberative group is given a high level of **influence** over outcomes or decisions.*
6. *The group starts with a **'blank page' report** - detailing their own thinking and developing their recommendations 'from scratch'.*

The benefit of employing a deliberative approach is that there is then no necessity for separation between the data collection and determination elements of the review. The public body would provide the support and information needed for a Citizens Panel to deliberate and determine the outcome. The process could be further supported with specialist input if necessary.

This approach has not yet been adopted in UK reviews, but a public body could take the view that an element of deliberative democracy could be introduced into the process. Alternatively, it may be decided that the public debate is so polarised that it would be inappropriate to employ this method.

Determination, communication and follow-through

In 2020/21, many reviewing bodies provided recommendations, in the case of local authorities, to the elected leadership.

A report detailing the following is advised to ensure public transparency:

a/ Outcome of any audit / identification of controversial monuments
b/ Establishment of oversight body, structure and person responsible for final decision
c/ Process and results of consultation
d/ Legal implications
e/ Process of deliberation with underpinning principles
f/ Recommendations and next steps

Legislative changes announced by the Communities Secretary are likely to necessitate a second formal consultation on any recommendation to remove or alter statues, monuments or place names, through the planning process.

Communication with the public throughout the process is vital. The next section looks at methods for public engagement.

25 https://www.mosaiclab.com.au/what-is-deliberative-democracy

7 / Inclusive community engagement

When communicating with communities that do not traditionally participate in consultations, it is important to give due consideration not only to the What? How? When? Where? but also the language we use (what we say). Any consultation process should have the core principle that there are no 'hard to reach groups', just groups that have not yet been reached.

Many public bodies are moving towards public engagement methods that focus on interaction and dialogue, often across a longer timescale and over a variety of settings. This is part of a broader commitment to participation which is an important consideration in reviews of this nature, which aim to understand the impact of public decisions on some of the more marginalised groups in society.

Inevitably, reaching many communities requires creative thinking, greater effort and potentially a larger budget. Language or cultural practices may be a barrier to engagement. There may be a mistrust of those perceived to hold positions of power or disaffection with authority in general. Previous engagement processes may have left communities with a sense that they achieve little in the way of change.

While particular effort may be required to reach key stakeholding communities, this should not reduce the opportunity for other sections of the community to contribute. To ensure maximum involvement, it is crucial to meet people where they are. Examples may include places of worship, community centres, schools and other education venues, youth clubs, libraries, museums, places of entertainment and shopping centres. Networks are important allies in terms of engagement and access. However, they may not reflect all the views and positions of the communities they represent.

Examples of inclusive engagement approaches

1. *Community Groups and Network Mapping*

Public bodies should identify and map the range of networks and groups with an interest in the issue. This will help to segment stakeholder groups in order to have a more detailed understanding of their interests and that of the community they represent as well as engage and communicate with them in a meaningful way. Emerging networks are not necessarily evident on the internet or social media.

2. *Citizens Panel*

The citizens panel is a method of deliberation among a group of people who are representative of the demographics of an area, with debate focused on a specific area under review. Appendix 1 contains an example of a citizens panel approach to addressing a proposed change to a street name.

3. *Focus Group*

A focus group is a facilitated conversation between around 6-10 people to explore experience, perspectives and ideas on a specific area under review. The Front Page Dialogues process has been developed by the International Coalition of Sites of Conscience (ICSC),[26] an organisation that brings together the curators of museums, historic sites and memorials connected with large scale trauma. The Coalition develops tools to bring communities together for healing and reconciliation and the Front Page Dialogues are a rapid response tool, used in situations where the trauma connected with sites of conscience is re-emerging or reignited in a community. The process is designed to encourage empathic dialogue and can be delivered either digitally or in person.

26 https://www.sitesofconscience.org/en/resources/frontpagedialogues/

Appendix 2 includes materials based on the Front Page Dialogues methodology. This is not an official publication of the ICSC. Public bodies should arrange small events of no more than 20 people, volunteers who can bring different, sometimes opposing perspectives to the process but who agree to abide by the ground rules.

4. Online survey

Online consultation can contribute much to the process of review as a tool with reach. Although such methods preclude the possibility of dialogue, online surveys may present the only opportunity for some to participate. This can be for multiple reasons including language barriers, childcare issues, confidence and ability to travel. Online processes must be carefully planned therefore, to ensure the following errors are avoided:

i / Distribution – Avoid 'passive' distribution: network mapping and cascading (e.g. through faith groups, social media and special interest groups) can increase reach into communities, Promotion via a range of media is important.

ii / Design - Leading questions, inbuilt bias and lack of clarity are common mistakes. Specialist consultants and publications can provide pointers, but participatory design with local communities is vital.

iii / Categorisation and data analysis – Where the above errors exist, the data set is already flawed. However, if a representative sample of responses is achieved mistakes can also be made when considering how to categorise and analyse them.

CASE STUDY: St Stephen's Church, Bristol

St Stephen's Church is situated in the centre of Bristol, yards from the Edward Colston statue. The churchyard is also the burial place for Edward Colston and features a monument to Colston. Over some years, members of the Church of England in Bristol have been considering ways in which the legacy of the institution and its buildings can be turned to the process of reconciliation.

Tim Higgins, City Canon of Bristol Cathedral and artist Graeme Mortimer Evelyn led a process of development centred around the commissioning of a 'reconciliation reredos' and 5 community learning events which brought together individuals from diverse communities and demographics in Bristol, leading to a model of exchange - the 'reconciliation laboratory'. The community learning events were participatory and hands on, based around a series of activities, including gospel singing, stone carving and drawing. Further works was undertaken to develop connections with the city's institutions, schools and business community.

The Reconciliation Laboratory is described as a 'one-off or short series of facilitated listening circles modelling the power of non-violence, between people with different perspectives caught in city-wide conflicts or 'fault-lines'. The facilitator emphasises listening over debate, speaking as 'I' over generalising. The themes relate to the legacy of the slave trade's impact on the city. Particular outcomes vary but in general individuals experience being heard and come to empathise with others in the circle. Perceptions of what's at stake may shift and go deeper. The event takes place mostly in front of the iconic contemporary artwork in Saint Stephen's, the Reconciliation Reredos.'

Following this process and others, the Church of England has announced a comprehensive guide to its members on addressing issues relating to contested heritage in its buildings and estates.[27]

27 https://www.churchofengland.org/sites/default/files/2021-05/Contested_Heritage_in_Cathedrals_and_Churches.pdf

8 / Some possible courses of action

As of 2021, the current government's position is that statues should be 'retained and explained'. Local decisions made through the planning system to remove monuments are subject to the 'call-in' of the Secretary of State for Communities who can in principle overturn them and the government has stated that such proposals will be approved only in exceptional circumstances. However, a public body wishing to put forward such a proposal following a review may find it helpful to think in terms of the following range of options. These are categorised under 'five R's': Retention, Recontextualisation, Removal, Replacement and Relocation.

A. Retention, preserving unaltered
B. Recontextualisation
    a. Reinterpretation, e.g. adding or amending information on plaque
    b. Artistic alteration of the statue itself – either temporary or permanent
        i. Official, e.g. commission an artist each year to work with a local school to create a new intervention
        ii. Hybrid unofficial and official, e.g. policy of allowing 'guerrilla' interventions to remain in place for a period of time
    c. Counter-memorials, i.e. artistic works that are placed nearby that directly aim to re-signify the original statue, or shift focus away from original statue.
    d. Adding new memorials or artwork elsewhere to rebalance the memorial landscape.
    e. Reclaiming, e.g. turning the monument into a site for teach-ins or other activities.
C. Removal
    a. With disposal / storage of all elements of original
    b. With reuse of some elements of original, e.g. reuse of plinth.
D. Replacement
    a. Commissioning of new artwork with removal of original object
    b. Commissioning of new artwork with retention of elements of the original
E. Relocation to e.g. a museum, sculpture park or cemetery
    a. With additional contextualisation
    b. Without additional contextualisation

Note that while the official definition of 'retain' is clear - ie, that monuments should remain in situ wherever possible - our understanding of the process of 'explaining' monuments is likely to differ substantially. Past examples have demonstrated that attempts to contextualise existing monuments with further explanation can be an equally divisive exercise, falling prey to the same fault lines that characterise the debate over whether to remove monuments.

9 / What to expect

The process of undertaking reviews, particularly where they involve public consultation, is sensitive and complex. Lessons can be drawn from those who have experienced the process.

Implications of announcing a review

It is important to be prepared for the public announcement of the review, whether it is conducted internally or via open consultation. The messaging should be positive and conciliatory, rather than partisan or political, since one of the aims of review must be social cohesion. News of a review is likely to be reported by local press, with potential for national coverage, and may be reported negatively. Negative news reports can focus on the cost of reviews, the perceived divisiveness, or the erasure of heritage. News reports may also pre-empt the review by either identifying memorials and campaigning to either remove or protect them or making erroneous assumptions about the review's scope. Reports on the result of a review will often be accompanied by a public comments section, which can become the focus of debate.

Responding to public protest

Monuments associated with significant contestation can act as a physical focus for protest, direct action and intervention. For example, the Colston statue in Bristol was the subject of several decades of animated protest. The statue had paint thrown on it, was 'yarn bombed' with knitted manacles, was graffitied several times and was the site of other temporary statues, from Jimmy Savile to Jen Reid, placed without permission and intended to provide additional context to the Colston story. As the custodian of the memorial, the local authority was subject to letters, petitions, campaigns and press attention, which magnified the debate in the public consciousness. The Council was criticised for inaction in the years running up to the events of 7 June 2020 and afterwards for permitting the removal.

Where public protest reaches a significant level, public bodies should enter into a process of public dialogue,[28] potentially with expert support. Public bodies should not respond defensively or react with internal decisions. A transparent, public conversation, though challenging, is important for social cohesion.

Requirement to support those leading reviews

The Health and Safety at Work Act (1992) and the Equality Act (2010) include duties on employers to take measures to protect the mental health of employees, and it is incumbent on employers to protect staff from bullying or harassment, either from colleagues or third parties. A clear plan should be put in place to ensure any individuals identified publicly or internally as responsible for carrying out reviews are trained and supported throughout the process, with clear reporting lines for them to raise concerns.

Past reviews have shown that preparation of this type is advisable, though it is not inevitable that staff, and also in the case of local authorities, councillors, will be subject to harassment from the public. It is likely however that public comments will be directed at the institution and potentially individuals conducting the review which may cause staff some offence, including those using racist or discriminatory language. Past reviews have nominated a single point of contact for correspondence, consultation returns and social media to ensure any personally directed correspondence is 'screened' from the intended recipient. The steering group overseeing the process may wish to agree a protocol for determining what can be included for consideration among the consultation responses.

28 Other triggers for a process of public engagement may include an internal audit of the local memorial landscape, emerging knowledge of the legacy of a memorialised individual or event, or social tension around an issue that may be memorialised.

One public institution received negative correspondence at several stages of their review – first at the announcement of their name change, where staff were unprepared for the volume of messages they would receive from those opposing the move, secondly after the toppling of the Colston statue, received from those on the other side of the debate criticising them for not having implemented the name change fast enough, and then a third time when the new name was announced.[29]

Resource planning

The results of any public consultation or engagement exercise are unpredictable and different reviews yield varying results and response levels. This can make resource planning problematic. In 2020, one London borough received 80 responses to a consultation on memorials. Another review carried out in the UK in 2021 received over 7000.

The body should take steps to ensure staff are in place to manage all aspects of the review, including:

a/ Planning and logistics
b/ Governance (i.e. steering group and liaison with political leadership)
c/ Expert guidance and regulation (e.g. conservation team, legal, public safety)
d/ Communications and press/PR
e/ Data collection and analysis
f/ Training

The implications of actions

Past reviews have demonstrated that even the most robust and inclusive processes are often met with dissatisfaction at the outcome. If audits or reviews conclude that no action is to be taken, the body can be criticised for wasting funds, or retreating from important action to remove offensive memorials. Recontextualization or removal may lead to objections from members of the community defending the responsibilities of non-erasure or concerned about fairness to the contested figure. The public body must have a clear plan to communicate actions positively and justify the decisions without defensiveness.

29 Detailed interviews of individuals leading reviews were collected by the Cambridge Heritage Research Centre and can be found here: https://www.heritage.arch.cam.ac.uk/research-projects/uk-statues-project/uk-statues-project

10 / Checklist, process chart and general recommendations

The recommendations below reflect some of the lessons that have been learned from past reviews, best practice and evidence collected from inclusion and participation experts.

Checklist for public bodies conducting reviews of contested heritage

A / Pre-review process design and governance

1. Have you decided whether to have a named officer leading the process?
2. Have you agreed the principles that will underpin the review?
3. Do you have a webpage setting out the process including contact details of lead?
4. Have you developed a governance structure to manage the process?
5. Is there a Terms of Reference for the governance body?
6. Have you developed the process using an inclusive and participatory methodology?
7. Are the individuals leading the process adequately trained and supported?
8. Have you agreed realistic timescales for the review with the leadership?
9. Have you carried out an expert audit of contested heritage within your area of responsibility?
10. If not, can you commission an advisory group with the requisite skills to write one?
11. If so, is the audit published on the web page?
12. Have you decided on an individual, landscape or holistic model?
13. Have you comprehensively mapped local groups and networks?
14. Have private landowners hosting contested heritage been engaged with?
15. Do you have a database of local leaders to contact?
16. If so, have you met with as many local leaders as possible to discuss the review?
17. Do you have an agreed communications strategy including for launch?

B / Review

18. Are all figures associated with leading the review well briefed and on message?
19. Are responses indicating that you are achieving a wide reach?
20. If not, do you need to revise the engagement strategy to achieve wider reach?
21. Are processes in place to manage any division / loss of social cohesion?
22. Are processes in place to shield individuals connected to review from hate speech?
23. Is the review integrated into statutory processes?
24. Are any legal issues / challenges being dealt with?

C / Deliberation / recommendation

25. Are all the data received analysed according to pre-agreed methodology?
26. Are the processes used to consider the responses participatory and inclusive?
27. Does the process of deliberation make use of expert evidence?
28. Are recommendations made according to the principles of the review?
29. Are recommendations legally compliant?
30. Has an impact assessment been carried out on recommendations?

D / Actions

31. Have recommendations been accepted and justification made where they have not?
32. Have decisions been communicated widely and among affected communities?

REVIEW OF CONTESTED HERITAGE
PROCESS FLOWCHART

INTERNAL ⟷ **PUBLIC**

PRE-REVIEW PHASE

- Corporate / Cultural Principles
- Strategic Documents

  Cultural Strategy
  SPD / Local Plan
  Street Naming Strategy

- **Public Principles and Strategic Documents / Consult**

REVIEW DESIGN

- Internal Oversight and Budgets
- Democratic / Decision Pathways & Sign-Off Agreed
- Audit / Report of Controversial Heritage Commissioned

- Review Design
  - *Area of benefit*
  - *Scope/Duration*
  - *Consultation Method*
  - *Data Collection Method*
  - *Deliberation Method*
- Communications Strategy
- Staff Training
- Mobilisation / Development of Documentation

- **Pre-Consultation Engagement (eg: Faith / Community Leaders**
- **Public Announcement & Timetable**

ENGAGEMENT PHASE

- Media Campaign to Encourage Participation
- Engagement with Community Leaders
- Netnographical Analysis
- Community / Gender / Area / Faith Specific Engagement
- Legal / Planning Requirement (eg : Notices)

- **Online Questionnaire**
- **Postal Questionnaire**
- **Facilitated Focus Groups**
- **Doorstep / High Street Surveys**
- **Participatory Methods**
- **Events & Talks**

DELIBERATION / RECOMMENDATION PHASE

- Confirm Framework / Principles for Deliberation
- Internal Data Analysis (Qualitative / Quantatative) & Report
- Deliberation :

INTERNAL / EXPERT PANEL / PARTICIPATORY

- Legal / Democratic / Planning Implications of Recommendations
- Report and recommendations
- Prep of Public Decision Makers / Communicators / Trustees etc

- **Announcements & Media**

ACTIONS

- **A. Retention (unaltered)**
- **B. Recontextualisation**
- **C. Removal**
- **D. Replacement**
- **E. Relocation**

General Recommendations

- Design consultation processes that are simple, accessible, interactive. Involve key stakeholder groups early.
- Let people know what you're doing. Get the message pitch-perfect, and then be loud. Communicate a simple, positive message that can draw agreement from many perspectives. Repeat the message, broadcast it repeatedly and across many fora.
- Don't be defensive. Respond to criticism by speaking to the truth and building constructively on it.
- Before speaking to the public, become skilful in understanding the 'gestalt shift' between different viewpoints. This is necessary if you are to avoid caricaturing an opposing view. Caricaturing the opposing view will backfire by alienating them and generating hostility and resentment.
- Beware of attributing irrational or immoral motivations to the view you are going against. Express understanding of the strongest version of the opposing argument, while explaining your own commitments in terms that demonstrate respect for the opposing side's core values.
- Recognize that whatever decision is taken, there is a responsibility to ensure that the decision does not have the effect of obscuring the history.
- Use the opportunity to motivate important work on contemporary legacies of the injustice in question.
- Don't build straw-men. Ask whether each side would recognize your depiction of their view, or would accept your description. If not, your description may potentially help reveal an unconscious implication of their view, and thus be valuable. On the other hand, it may show that you have misunderstood their intentions or reveal a biased view.
- Ask whether the language you are using could be insulting or inflammatory. For instance, phrases like 'erasing history' and 'sanitizing the past' are insulting, because few people would see this as amongst their aims. Avoid mud-slinging, name-calling or insults, even if other participants are using this kind of language.
- Prepare staff for negative publicity and social media by providing training and ongoing support.
- Adopt the view that there are 'many paths to virtue'. There are many good ways to handle contested heritage. Be open to different strategies.

Managing communications

- Carry out well-structured consultation.
- Invest in a well-run media campaign.
    - A media campaign of this kind should follow principles like:
    - Convey a simple and attractive message
    - Be succinct and accessible, e.g. create a very short film and still advertisements with visually catchy imagery to support a simple positive message.
    - Broadcast across all different media platforms at once, to generate a buzz.
- Consider announcing a new name sooner rather than later.
    - Waiting for a long time to announce a new name gives more time for people to focus on resentment and negative feelings. It also makes it difficult to run a positive media campaign. Announcing a new name which allows people to feel included will give people something positive to focus on.
- Stand by the decision.
    - Show leadership with a positive public story that presents the decision in an enthusiastic and inclusive way.
- Share the story.
    - Often, organizations run a plethora of public consultation and engagement events, many of which may be complicated and take a lot of effort to deliver. However, often relatively few members of the public are aware that these consultations are taking place. Make the message of the events simple, positive, and inclusive, and share the story widely. Build in resources for press around consultation events.
- Have a media strategy that protects individual staff.
    - Give training. Help staff prepare for backlash, by not putting individual's contact details in the public domain and by providing training and support on how to handle negative publicity.

Appendix 1 :

Using Citizen Panels + street-level voting: A model for democratic decision-making

This appendix outlines one model for democratic decision-making on contested heritage. The example here uses a combination of Citizens Panels and street-level voting, but the model can be experimented with and adapted.

1 / A petition is brought forward to rename a street.

2 / The Council assembles a Citizen Panel through a non-mandatory selection process similar to that of a jury. It is important that the panel have socioeconomic diversity, geographical diversity and that it be diverse with respect to protected characteristics (race, ethnicity, gender, sexual orientation etc). The make-up of the panel should be looked at carefully to ensure that it includes multiple representatives from key stakeholder groups.

3 / Optional: The Citizen Panel and street residents get to know each other using a structured dialogue (See Appendix 2).

4 / Optional: The Citizen Panel and street residents have a chance to discuss 'Understanding and evaluating common arguments about contested heritage' (see Appendix 3)

5 / The Citizen Panel and street residents:

   a. Hear arguments both for and against the proposed change. It is important that both sides are represented, so it should be somebody's job to lead representation for each side.
   b. Hear expert testimony. Experts might testify on the contested figure's life history and principal legacies, wider history, artistic significance (in case of a statue), circumstances of memorialization, demographic balance of commemorations in the area, practicalities and costs to the street or taxpayer, etc.
   c. Receive written or oral evidence from the public (e.g. street residents).
   d. Receive results from any preliminary inclusive consultation findings (see section on Inclusion, above.)

6 / The Citizen Panel deliberate behind closed doors to ensure that members can speak freely. The panel come to a recommendation about the proposed change. They are supported to write up their recommendation in a 1- to 2-page report.

7 / Their recommendation is shared with the street residents.

8 / The street residents then get the final vote, with a super-majority of 75% required to change the name of a street.

9 / An appeals process provides a chance for the decision to be reconsidered.

If the proposed change was to a council-owned statue or other object, instead of a street, then the final decision would rest with the Council. In that case, the presumption would be that they would accept the panel suggestion, and if they went with an alternative then they would need to justify the decision on clear public grounds.

The panel could hear evidence on a group of objects instead of a single one, if several objects are being examined at once. The duties of a panel member could be time limited to a single review. Discussion would be governed by the Chatham House rule, meaning that ideas can be reported but not attributed to individuals. The views and opinions of individuals on the citizen's panel would be protected by confidentiality and any breach could lead to expulsion from the panel.

An alternative model would have the street residents acting as the panel. However, this has several downsides in terms of achieving democratic legitimacy, as explained in the rationale below.

Another alternative would change step 6 by allowing street residents to listen in on the Citizen Panel discussion (aka a 'fishbowl' model). This would give them more of a chance to understand how their decision might be seen by a wider public.

The size of the panel might vary depending on resources. One model would have a small panel of 10 - 12 individuals. In someplace like Bristol, the process might instead use the city's long-running citizen panel, which has around 1400 members.

The role of the public body

The panel would be convened and administered by the public body and regulated by a Terms of Reference written by the public body and agreed by the panel. The local authority or other public body would be responsible for administering the panel and if they were owners of the object would be responsible for taking the final decision, subject to appeals and the call-in powers of the Secretary of State. Where the decision of the public body deviated from the recommendations of the citizens panel, it would be incumbent on the public body to justify this deviation, according to a set of pre-defined criteria (e.g. carrying out the recommendation would be unlawful, negative impact on social cohesion etc).

The panel could be adapted to encompass a broader scope. As a city-wide 'citizens panel for culture', the group could make recommendations on new public art commissions, comment on grant awards and deliberate on other cultural matters.

Rationale

Citizens Assembly, Citizen Juries and Citizen Panels are now being used in many contexts where public bodies need to make decisions on a) topics that are contentious, and b) topics that may affect different stakeholders in very different ways. A Citizen-based model increases the chance the diverse social impacts are taken into account. It also increases democratic legitimacy and protects against the objection that decisions are being made by a distant elite. It gives fellow citizens greater confidence that their views have been taken into account, making people more likely to trust the fairness of the outcome. It may also function as a barometer for whether a community is ready for a given change.

Many reviews of contested heritage in the UK to date have been guided by the principle that decisions are best made by small panels of experts, such as a group of academics. However, findings from democratic theory suggest that when problems are hard and involve a large amount of socially distributed knowledge, then diverse groups of non-experts working in medium-sized groups tend to arrive at better solutions than a homogenous group of experts (Anderson, 2006).[30] This is because such problems often involve a great deal of situated knowledge. For instance, statues and place names mean different things to different people, and meanings can be very local.

30 Elizabeth Anderson 'The Epistomology of Democracy' Episteme: A Journal of Social Epistemology, Volume 3, Issue 1-2, 2006, pp. 8-22 (Article) Edinburgh University Press

At the same time, it may be appropriate for ultimate decision-making to rest with the group of stakeholders most affected. In the case of street names, residents have a clear stake in outcomes so it may be appropriate for them to have a final say. It might be objected that the street residents should simply vote without the extra layer of the Citizen Panel. However, street residents are not the only stakeholders on these issues, which are highly political. Other people across the city have a legitimate interest in the decisions to keep or rename streets where this is being done for reasons of justice or values. Having input from the Citizens Panel will help street residents appreciate the perspective of the city, and understand how their decision may affect the wider community.

In summary, incorporating the use of Citizens Panels,[31] pioneered in Bristol and elsewhere, can strengthen the link between the engagement, deliberation, and decision-making stages of an inclusive reviews process. Bringing different perspectives together for the purposes of democratic deliberation is beneficial in that it helps develop respectful civic discourse, leading to decisions that can be owned by the community.

31 An example structure for a general citizen's panel (used to regularly consult on council services) can be found here: https://www.involve.org.uk/resources/methods/citizens-panel

Appendix 2 :

Structured dialogue. Mediating community conversations about contested monuments

(Based on the front page Dialogues methodology)

This guide is for organisations undertaking reviews of contested heritage, monuments and place names, to organise events aimed at bringing the community together to discuss the issues and how they are affected by them. The materials are developed using the International Coalition on Sites of Conscience (ICSC) methodology known as Front Page Dialogues. It is not an ICSC document.

On 7 June 2020 in Bristol, during the first coronavirus lockdown, a Black Lives Matter protest was held in solidarity with demonstrators taking place in the US, following the killing of George Floyd in police custody.

During the event, protesters toppled a statue commemorating prominent 17th century businessman Edward Colston from its plinth in the centre of the city. One protester knelt on the neck of the statue for eight minutes, in a symbolic gesture reflecting the cause of Floyd's death; then others defaced it with graffiti, dragged it to the harbourside and tipped it into the water. The event was widely filmed and reported internationally.

These events sparked a national debate about our heritage that illustrated significant differences of opinion in the community about how our history it is represented in our heritage assets, covering issues of identity, collective memory and erasure.

Public bodies can support communities at this time by facilitating constructive conversation on this ongoing crisis, addressing a range of topics related to heritage, race, protest, slavery, allyship, justice movements, and many others. Below is the ICSC's model for engaging communities in dialogue on contested heritage which we encourage you to adapt and ground in the unique place history that your organisation works to preserve and share.

How to use this model

Rather than using all the model questions suggested under each phase, facilitators may select questions that reflect the evolving conversation of the group they are guiding in the dialogue. We also anticipate that you will develop new questions ahead of time or during the dialogue to draw on the strengths of your particular place, organization or community, or to respond to the needs of participants.

This particular dialogue is intended to be facilitated digitally. While digital spaces often compel us to move quickly, these conversations take time, just as they would in person. Take the time you need to build trust and a sense of community early in the dialogue. Video, preferably where everyone can see others simultaneously, is suggested for digital dialogues.

Guidelines

What are the group agreements or guidelines for the dialogue that help us establish the "container" that the dialogue occurs within? Here are some sample agreements:

1 / Use "I" statements
2 / Leave room for everyone to speak
3 / Engage with care

PHASE I – Community Building

Questions in Phase I help build the "learning community" by allowing participants to share information about themselves.
Facilitators should welcome the group, introduce themselves, explain their role and the purpose of the dialogue. Facilitators should also ask for agreement on the guidelines established for the group.
Community building, agreeing to guidelines, and taking time to get to know one another are as important if not more important in digital versus in-person dialogues. Facilitators should take care not to rush through these early questions but give participants plenty of time to get to know and trust each other.

Do you have a favourite building or place and can you explain why you connect to it?

Is there a person alive today that you think deserves a statue and if so, why?

Have you helped support family, friends or your community through the pandemic?

PHASE II - Sharing our own experiences

Questions in Phase II help participants recognize how their experiences are alike and different and why. Having a shared experience or engagement with content is helpful for deepening conversation.

Do you think it is important to remember the past? Why?

Do you experience division in your family, friendships or community over Brexit?

Have you lever felt as though your opinions are dismissed or ignored? How does that make you feel?

Do you think we live in an equal society, where everyone has the same opportunities?

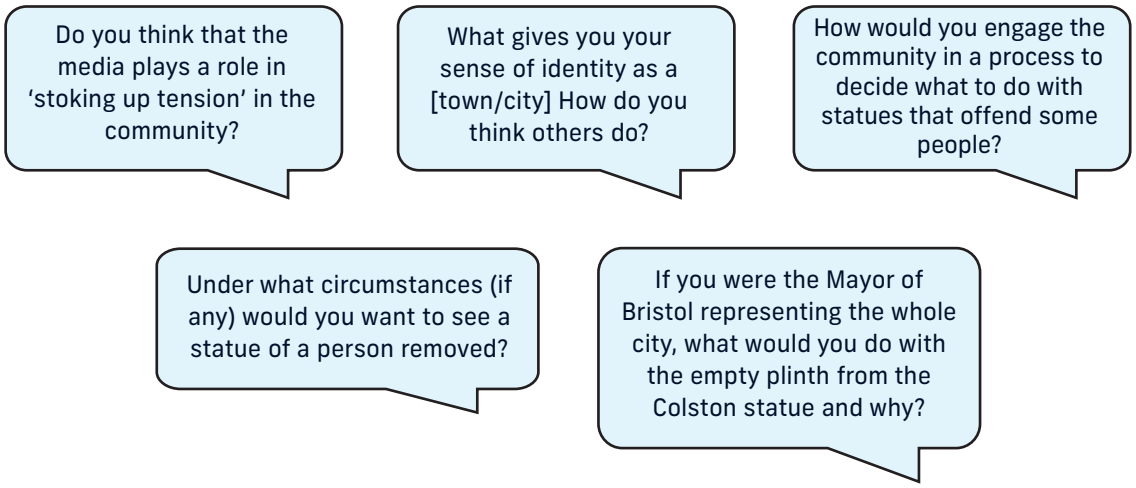
Did the way you thought about public monuments change in 2020?

Have you ever attended a protest? What was it about and why did you go?

Have you learnt more about the history of your town/city as a result of this process?

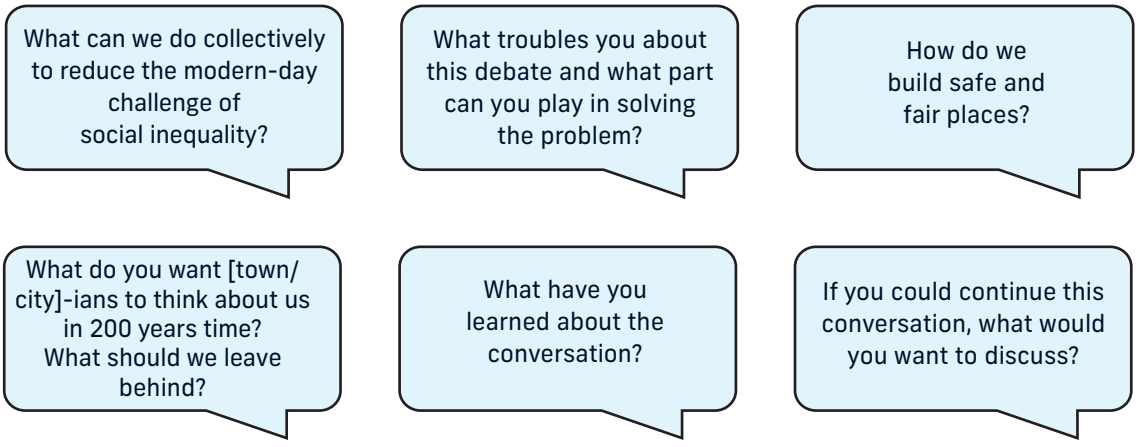
PHASE III – Exploring beyond ourselves

Questions in Phase III help participants engage in inquiry and exploration about the dialogue topic in an effort to learn with and from one another. Phase III can present a challenge in digital conversations. Being able to see people and engaging in early trust-building increases our chances of being able to engage here productively, continuing to learn from each other and about ourselves.



PHASE IV – Synthesizing the experience

Questions in Phase IV help the group to reflect on the dialogue and what they learned. Phase IV is crucial in all dialogues, but particularly when people feel overwhelmed or powerless. This is where dialogue turns our reflection and learning into future action. Even if the group did not fully explore Phase III due to the digital nature of the dialogue, facilitators should still encourage Phase IV.



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